

CHAPTER NO. 268

HOUSE BILL NO. 331

By Representative Buck

Substituted for: Senate Bill No. 1349

By Senator Davis

AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 2, relative to judicial districts and the election of judges, chancellors, district attorneys general and district public defenders to serve such districts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 16-2-505, is amended by deleting subsections (a) and (b) in their entirety and substituting instead the following:

(a) In any judicial district in which the provisions of § 16-2-506 require the election of an additional judge in either 1984, 1986, 1988, 1990, 1992, 1994, 1996, 1998, 2000, 2002, 2004 or 2006, the election shall occur in August of such year. The qualified voters of the judicial district in which the election is required shall elect a person to the office of judge for such district. Such person shall possess the same qualifications, powers and duties and shall receive the same compensation, payable in the same manner, benefits, emoluments and dignity of office as is required or provided by law for other judges.

(b) (1) If the election occurs in 1984, 1986, or 1988, the person elected shall hold office until September 1, 1990, and until that person's successor is elected and qualified. Thereafter, a judge shall be elected for an eight-year term. At the regular August election in 1990, the qualified voters of all judicial districts required by the provisions of § 16-2-506 to elect an additional judge in such year shall elect a person to such office for a full eight-year term. The person elected in 1990 as an additional judge for each such district shall possess the same qualifications, powers and duties and shall receive the same compensation, payable in the same manner, benefits, emoluments and dignity of office as is required or provided by law for other circuit court judges.

(2) If the election occurs in 1992, 1994, or 1996, the person elected shall hold office until September 1, 1998, and until the person's successor is elected and qualified. Thereafter, a judge shall be elected for an eight-year term. At the regular August election in 1998, the qualified voters of all judicial districts required by the provisions of § 16-2-506 to elect an additional judge in 1992, 1994, 1996 or 1998 shall elect a person to such office for a full eight-year term. The person elected in 1998 shall possess the same qualifications, powers and duties and shall receive the same compensation, payable in the same manner, benefits, emoluments and dignity of office as is required or provided by law for other circuit court judges or chancellors.

(3) If the election occurs in 2000, 2002, or 2004, the person elected shall hold office until September 1, 2006, and until the person's successor is elected and qualified. Thereafter, a judge shall be elected for an eight-year term. At the regular August election in 2006, the qualified voters of all judicial districts required by the provisions of § 16-2-506 to elect an additional judge in 2000, 2002, 2004 or 2006 shall elect a person to such office for a full eight-year term.

The person elected in 2006 shall possess the same qualifications, powers and duties and shall receive the same compensation, payable in the same manner, benefits, emoluments and dignity of office as is required or provided by law for other circuit court judges or chancellors.

(4) Any vacancy occurring in the office of one (1) of the circuit court judges elected pursuant to § 16-2-506 shall be filled as provided by law.

SECTION 2. Tennessee Code Annotated, Section 16-2-512, is amended by deleting subsection (a) and substituting instead the following:

(a) Where the provisions of § 16-2-506 require the election of an additional judge in a judicial district in either 1986, 1988, 1990, 1992, 1994, 1996, 1998, 2000, 2002, 2004, or 2006, the presiding judge of the district shall notify the judicial council in writing of the judge's recommendation as to whether the additional judge will be a circuit court judge, criminal court judge or chancellor and of the part of court such judge or chancellor will serve. Such recommendation shall be made by January 1 of the year in which the additional judge is to be elected and shall be made only after consultation with all other trial level judges in the district, all local bar associations in the district and any other person or group with an interest in the recommendation.


SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 14, 2001


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 22nd day of May 2001


DON SUNDQUIST, GOVERNOR